

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION**

THE UNITED STATES OF AMERICA

v.

KIMBERLY DUCKFIELD

Criminal No. CCB-16-287

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MOTION TO SUPPRESS STATEMENTS AND TANGIBLE EVIDENCE

The Defendant, Kimberly Duckfield, through counsel, Jonathan P. Van Hoven, hereby respectfully moves this Honorable Court, pursuant to Rule 12(b)(3) of the Federal Rules of Criminal Procedure, to suppress any and all statements, admissions and confessions allegedly given by the Defendant, whether oral, written or otherwise recorded, which the government proposes to use as evidence against the Defendant at trial, and in support of the motion alleges as follows:

1. The Defendant is charged with Bank Fraud Conspiracy in violation of 18 U.S.C. §1349 and Aggravated Identity Theft in violation of 18 U.S.C. §1028(a)(1) and (c)(5).

2. Based on the information provided by the Government and through investigation, the Defendant made statements to law enforcement agents of the Government on or about March 29, 2016.

3. Any statements, admissions, or confessions were involuntary and obtained in violation of the Defendants's privilege against self-incrimination, her right to counsel as guaranteed by the Fifth and Sixth Amendments to the United States Constitution, and the Supreme Court's holding in Miranda v. Arizona, 384 U.S. 436 (1966).

5. The Defendant is entitled to a hearing regarding the voluntariness of any statements, admissions, or confessions attributed to him in accordance with the provisions of Title 18 U.S.C. § 3501 and the principles set forth in the case of United States v. Inman, 352 F.2d 954 (4th Cir. 1965).

WHEREFORE, the Defendant moves that all statements, admissions and confessions and tangible evidence which the government proposes to use as evidence against him, whether oral, written or otherwise recorded, be suppressed.

Respectfully submitted,

/s/

Jonathan P. Van Hoven
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MEMORANDUM OF POINTS OF AUTHORITIES

1. Fourth, Fifth and Sixth Amendments to the United States Constitution
2. Miranda v. Arizona, 384 U.S. 436 (1966).
3. United States v. Inman, 352 F.2d 954 (4th Cir. 1965).

/s/

Jonathan P. Van Hoven

REQUEST FOR HEARING

Pursuant to Rule 105.6 of the Local Rules of the United States District of Maryland, a hearing is requested on the Defendant's Motion.

/s/

Jonathan P. Van Hoven

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of September, 2016, a copy of the foregoing Motion to Suppress Statements was file via ECF.

/s/

Jonathan P. Van Hoven